



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF STATE COUNSEL
LITIGATION BUREAU

October 3, 2022

BY ECF

The Honorable Loretta A. Preska
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Allen v. Koenigsmann, et al., 19 Civ. 8173 (LAP)

Dear Judge Preska:

This Office represents defendants Carl Koenigsmann, John Morley, Susan Mueller, David Dinello, John Hammer, and Kristin Salotti (together, "State Represented Defendants") in the above-referenced action. We write with the consent of Plaintiffs' counsel to request that the Court order, consistent with the understanding of both Plaintiffs and State Represented Defendants, that, going forward, the production of updated medical records be every 60 days.

We seek such order to clarify the timing of production. While the Court at the August 10, 2022, telephone conference stated that "it is hereby ordered that defendant[s] shall produce updated medical records for all Schedule 2 plaintiffs within 30 days of today's date and updated medical records every 60 days thereafter" (ECF #412), the Court's written order (ECF #409) states that State Defendants "shall update all records every thirty (30) days thereafter." We accordingly respectfully request that the Court's Order at ECF #409 be modified to reflect the instructions given at the teleconference that the updated production occur every 60 days, with the next production to occur on November 9, 2022.

We have conferred with Plaintiffs' counsel who consent that production going forward should be every 60 days. Thank you for your consideration of this matter.

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

10/3/22

Respectfully submitted,
_____/s/

Michael J. Keane / Ian Ramage
Assistant Attorneys General

cc: Counsel of Record (**By ECF**)